

DETLEF HARTMANN, class, petitioner/plaintiff v. Karl Hazzard, representative of class, respondents.

DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION FOR A
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

DETLEF HARTMANN declares under penalty of perjury:

1. I am the petitioner in this case. I make this declaration in support of my motion for a temporary restraining order and a preliminary injunction to ensure that I receive proper, legal, professional care and maintenance by my custodian(s) for legal access to the courts.

2. On March 1, 2007, I was threatened of seizure of all my legal materials by Karl Hazzard.

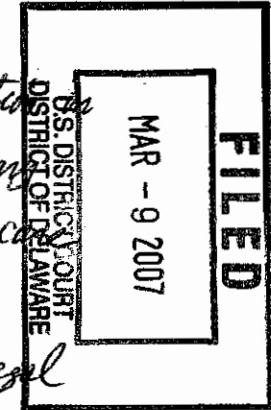
3. He ordered me then to get rid of all my legal materials in 2 weeks; by March 15, 2007.

4. (Betty) Burris, deputy warden, Delaware Correctional Center fails to respond to two requests for legal box approvals on June 3, 2006 and Nov 13, 2006; No reply to - date. I only had an outdated approval on my possession.

5. Contrary to prison rule and Administrative procedure Acts, and Administrative Law and procedure, and generally accepted professional standard, Burris failed to reply in 30 days upon request.

6. Hazzard failed to do his duty by being belligerent, disrespectful, abuse, exploitative, etc in his communication to petitioner at that time of illegal threat, from the beginning.

7. Petitioner has had these materials for years with continuous threats by other custodians trying to obstructive to justice, and for legal access to courts, causing a constant terroristic environment, contrary to law, codes, mission, purposes.



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But now, comes Hazzard, after I file civil complaints against other custodians and grievances against mismanagement and damages caused by them, now out of the blue, He threatens Me with two weeks; Illegal retaliation.

8. Now that there is actual imminent threat of irreparable legal, mental, emotional, and physical injuries, these motions are now necessary.

9. On info and belief, prison rule was not legally adopted.

10. On info and belief, prison rule obstructs justice for timely, equal, effective, meaningful, capable, and adequate access to the courts.

11. Legal materials are necessary and important and needed by Petitioners, ^{and still}

12. I am already suffering from mental, emotional, physical injuries caused by Hazzard and some other custodians failing to do their duty, This increased risk of damages is just further evidence of lack of accountability and professionalism by too many staff here (custodians).

13. Warden Thomas Carroll, Betty Burris, and Major Scarborough are responsible for Hazzard, and other custodians conduct, being a moving force to allow no conduct.

14. Jane Brady was State Attorney General responsible for legal prison rules, and proper care + maintenance of wards of state, and control, training and supervision of state employees.

15. Stanley Taylor, former Commissioner, was/is responsible for illegal prison rule of only one day (per case).

16. Custodians, as Hazzard, are responsible for removing all obstructions for legal access to courts for Petitioners, and classes, but continue deliberate indifference.

17. American Disabilities Act and Rehabilitation Act entitlements continue to be ignored for Petitioners, who was made mentally and physically disabled by custodians, as Hazzard.

18. For these reasons this citizen can bring forth at this time, with ~~the~~ these obstructive, handicapping, and disabling, and debilitating conditions caused by custodians, by Petitioner in attached documents filed with this motion, the Petitioner is entitled to a temporary restraining order requiring the Respondent, and any other custodian, to:

- A. Stay away from any kind of contact against Petitioner, not for Petitioner as proper custodian would do 'as a parent like.'
- B. Allow Petitioner to keep all His legal materials He needs for this active and contemplated cases.
- C. Only He can decide what He needs because no custodian here has been court appointed as His legal counsel, and a citizen is still ultimately responsible for His/Her case.
- D. Restrain all custodians from enforcing illegal prison rule of limiting private property for necessary legal work.
- E. All other proper relief.

19. Allowing a correctional officer to lock up extra boxes of legal work will not work because of the attitudes and lack of professionalism by many officers here who would be coercive, lazy, or some other way deny daily, fulltime access. Current rule is not realistic for current staff use.

Dated: March 5, 2007

Sincerely yours,

Detlef Martmann, 229843

Delaware Correctional Center

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